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OLC 67-0175

MEMORANDUM FOR: Director of Central Intelligence

SUBJECT: Legislative and Administrative Authority for
Payment of Travel Expenses, Allowances,
and Other Fringe Benefits to Agency Employees

1. Attached is a detailed review of the background and current
status of the laws governing payment of travel expenses, allowances, and
other fringe benefits to Agency employees. The memorandum points out
the difficulties in keeping the CIA Act of 1949 (P. L. 81-110) up-to-date
and consistent with laws governing other overseas personnel. The inability
to keep the CIA legislation up-to-date has in part been overcome by
administrative approvals by the Director utilizing the authorities available
to him under section 8 of P. L. 81-110. The memorandum goes on to
express the view that in all likelihood we will be no more successful in
the future than we have been in the past in bringing P. L. 81-110 up-to-date
and keeping it current.

2. The memorandum then suggests as a solution in effect abandoning
completely the standards of section 4 of P. L. 81-110 which are the pertinent
provisions and relying entirely on the authority vested in the Director by
section 8. It is pointed out that members of our congressional sub-
committees in the past have urged that wherever feasible we utilize the
broad authorities of P. L. 81-110 rather than seek statutory revisions.
We believe the Director has ample legal authority to adopt administratively
the travel expenses, allowances and fringe benefits sections of the Foreign
Service Act or, for that matter, any other laws. Consequently, we are
recommending that the Director approve such action authorizing the
Executive Director to designate specific provisions of law which the
Agency will follow in the future.

LAWRENCE R. HOUSTON
General Counsel

JOHN S. WARNER
Legislative Counsel

Att.

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